

FILED  
IN CLERKS OFFICE  
UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS  
2004 MAY 26 P 12:06

**GRIFFIN MANUFACTURING  
 COMPANY, INC.**

Plaintiff,

 $\mathbf{v}_r$ 

ST. GERMAIN'S WAREHOUSE CO., INC.

**Defendant.**

U.S. DISTRICT COURT  
DISTRICT OF MASS.

1:03-CV-12462 RCL

## **STIPULATION OF DISMISSAL WITHOUT PREJUDICE**

Pursuant to Fed. R. Civ. P. 41(a)(1)(ii), the parties to this action, by and through their undersigned counsel, hereby stipulate to the dismissal of this action and all claims asserted therein without prejudice and without costs or attorneys fees to either party.

**GRIFFIN MANUFACTURING  
CO., INC.**  
Plaintiff,

By its Attorneys,

Stephen J. Rose

**Jamie N. Hage, Esq. (BBO #216300)**  
**Stephen M. LaRosc, Esq. (BBO #654507)**  
**NIXON PEABODY LLP**  
**100 Summer Street**  
**Boston, MA 02110**  
**617-345-1000**  
**617-345-1300 (fax)**

**ST. GERMAIN'S WAREHOUSE  
CO., INC.**  
Defendant,

By its Attorney,

John McCabe / J.M.C.

John E. McCabe, Esq. (BBO #546541)  
47 Church Street  
Wellesley, MA 02482  
781-237-8500  
781-237-5765 (fax)

Dated: May 25, 2004